

APPLICANT(S): SHILOH, Dekel
SERIAL NO.: 09/814,451
FILED: March 22, 2001
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REMARKS

Applicant asserts that the present invention is new, non-obvious and useful. Applicant respectfully requests reconsideration of the above-identified application in view of the foregoing amendments and following remarks.

Status of Claims

Claims 1–23 are pending in the application. New claims 21, 22 and 23 have been added. Claims 1, 3–8, 12–15 and 20 have been amended. No new matter has been added.

Voluntary Amendments

New independent claims 21, 22 and 23 have been added to more clearly define the subject matter of the claimed embodiments of Applicant's invention, and to articulate the claimed invention in a form more suitable for a person skilled in the art to appreciate the novelty and non-obviousness of the invention.

Claims 1, 6 and 12 have been amended to be dependent on claims 21, 22 and 23, respectively. Claims 3–5, 7–8, 13–15 and 20 have been amended for consistency.

Applicant respectfully asserts that the new independent claims are new, non-obvious and useful, and are patentable over all prior art references of record, and over any combination of those references.

Allowable Subject Matter / Claim Objections

In the Office Action, the Examiner objected to claims 3–5 as being dependent on a rejected base claim, and stated that claims 3–5 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Claims 3–5 presently depend from new independent claim 21, which Applicant asserts to be allowable. Accordingly, it is respectfully submitted that claims 3–5 are likewise allowable in their dependent form and that the objection to these claims should be withdrawn.

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CLAIM REJECTIONS

35 U.S.C. § 102 Rejections

In the Office Action, the Examiner rejected claims 1, 2 and 6–20 under 35 U.S.C. §102(e), as being anticipated by US Patent publication 2002/0055833 to Sterling (“Sterling”). Applicant respectfully traverses this rejection in view of the remarks that follow.

Applicant’s independent claims, as amended, are directed to a virtual entity and to a system and method of enabling access to a service on a communication network using a virtual entity. Independent claims 21, 22, and 23, all recite, inter alia, a virtual transaction account that is associated with virtual identification data defining the virtual entity, wherein the virtual transaction account has *“sufficient authorization to perform a monetary transaction on behalf of the real entity with one or more other entities over said communication network”*, and wherein the virtual identification data is *“insufficient to identify the real entity to said one or more other entities over said communication network.”*

It is respectfully asserted that none of the prior art references of record teach or suggest at least the above features of Applicant’s independent claims. Accordingly, Applicant respectfully submits that the new independent claims 21, 22 and 23 are not anticipated by Sterling or any of the other prior art references on record.

Additionally, Applicant respectfully submits that the above features of independent claims 21, 22 and 23 would not have been obvious to a person skilled in the art at the time the invention was made in view of the prior art references on record, specifically in view of Sterling, alone or in combination with any other prior art references.

Accordingly, it is respectfully asserted that new independent claims 21, 22 and 23 are allowable over all prior art references of record, and over any combination of those references.

In addition, Applicant respectfully notes that the system and method described in Sterling are fundamentally different from that of Applicant’s independent claims 21, 22 and 23. For example, as explained at paragraph 22 of Applicant’s Specification: “the AVPP system in accordance with the invention alleviates various concerns that are typically

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associated with Internet use, such as identity theft, tracking of user activity, and other objective and/or psychological concerns that are prevalent among Internet users.”

In contrast, Sterling describes a system wherein a visitor to an enabled site is represented by an instance of the Virtual Population for that site, and wherein the system learns information about the Visitor during their visit. In particular, the system and method of Sterling include gathering information regarding the real world person being represented by a Virtual Representative. For example, this is demonstrated at paragraph 152 of Sterling:

“Beatrice has been modeled and factual information relating to her preferences, behavior, and simple facts such as age, income and the like are stored in Beatrice's Virtual Representative in the Virtual Population site database.”

Such a system as described by Sterling is fundamentally different from Applicant's independent claims, which require that the virtual identification data be insufficient to identify the real entity. Accordingly, Sterling teaches away from using virtual identification data that is “*insufficient to identify the real entity to said one or more other entities over said communication network*”, as recited in independent claims 21, 22 and 23.

Claims 1–5, 6–11, and 12–20 depend from independent claims 21, 22 and 23, respectively, and include all the elements of those claims as well as additional distinguishing features. Thus, in addition to any independent basis for patentability, it is respectfully submitted that claims 1–20 are likewise allowable at least by virtue of their dependency. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejections under 35 U.S.C. §102.

Applicant notes that none of the amendments to the claims herein are in response to the above discussed prior art.

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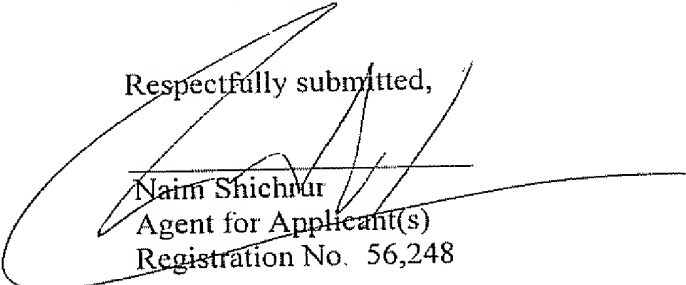
Conclusion

In view of the foregoing amendments and remarks, Applicant submits that the pending claims distinguish over the prior art of record and are in condition for allowance. Favorable consideration and passage to issue are therefore respectfully requested.

The Examiner is invited to telephone the undersigned counsel to discuss any further issues yet to be resolved in connection with this application.

Please charge any fees associated with this paper to deposit account No. 50-3400.

Respectfully submitted,



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